

UNITED STATES DISTRICT COURT

SOUTHERN

DISTRICT OF

TEXAS

UNITED STATES OF AMERICA

V.

JOHN HENRY RAMIREZ

CRIMINAL COMPLAINT

Case Number: C-A-07070-RM

AUG 26 2004

(Name and Address of Defendant)

Michael N. Milby, Clerk of Court

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about July 19, 2004 (Date) in Nueces County, in the Southern District of Texas defendant(s) did,

(Track Statutory Language of Offense)

knowingly travel in interstate commerce from the State of Texas to avoid arrest charges filed in the County of Nueces, for Capital Murder, a Capital Felony, T.P.C. 19.03 and two counts of Aggravated Robbery, a First Degree Felony, T.P.C. 29.03.

in violation of Title 18 United States Code, Section(s) 1073.

I further state that I am a(n) Special Agent, FBI Official Title and that this complaint is based on the following facts:

(SEE ATTACHED AFFIDAVIT)

Continued on the attached sheet and made a part of this complaint: Yes No



Signature of Complainant

Special Agent Carlos Salinas, FBI

Printed Name of Complainant

Sworn to before me and signed in my presence,

08/26/2004

Date

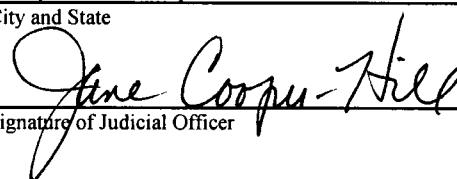
Jane Cooper-Hill, United States Magistrate Judge

Name and Title of Judicial Officer

Corpus Christi, Texas

City and State

Signature of Judicial Officer



AFFIDAVIT

I, Carlos Salinas, being duly sworn, state as follows:

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have served in that capacity for approximately two years. Previous to my employment with the FBI, affiant spent approximately 11 years as a police officer/supervisor for the McAllen (Texas) Police Department. I have conducted numerous investigations related to crimes of violence, including homicide. This affidavit is based on information provided by the Corpus Christi Police Department (CCPD), Corpus Christi, Texas.

2. This information is being provided as probable cause in support of a complaint against JOHN HENRY RAMIREZ, date of birth June 29, 1984, for violating Title 18, U.S.C., Section 1073, Unlawful Flight to Avoid Prosecution, for knowingly traveling in interstate commerce from the State of Texas to avoid arrest charges filed in the County of Nueces (Texas) for Capital Murder and two counts of Aggravated Robbery.

3. On 07/19/2004, at approximately 11:21 p.m., CCPD OFFICER MICHAEL WENZEL, was dispatched to the Times Market Square, located at 1902 Baldwin Boulevard, Corpus Christi, Texas, in reference to a trauma victim reported at the location. Upon arriving at the Times Market Square, OFFICER WENZEL observed a male lying in a pool of blood. OFFICER WENZEL checked the vital signs of the male, later identified as PABLO CASTRO, date of birth 03/22/1958, and found that he was not breathing. As the paramedics attended to CASTRO, WENZEL made contact with LYDIA SALINAS, an employee of the Times Market Square. SALINAS reported that her co-worker, PABLO CASTRO, had gone outside to throw

away the trash, but did not return.

4. OFFICER WENZEL contacted two witnesses at the scene, identified as KASHIR BUTT and MARIANO CERVANTES. BUTT and CERVANTES reported seeing a male subject and female subject assaulting CASTRO outside the store. CERVANTES also reported that the subjects appeared to be taking things from CASTRO's pants.

5. Paramedics could not revive CASTRO, who was later pronounced dead at the scene.

6. On 07/19/2004, at approximately 11:31 p.m., CCPD received a report that an Aggravated Robbery had just occurred at the Whataburger Restaurant, located at 2018 South Staples, Corpus Christi, Texas. The victim, identified as APRIL METTING, reported that she was stationary at the drive-thru lane when she observed two vehicles pull into the parking lot. A female subject exited her vehicle and approached METTING's location. The female asked METTING if she could borrow her cellular phone, but METTING told her that she did not have a phone. As METTING was talking to the female subject, a male subject approached her and grabbed her neck. The male subject held a knife to METTING's neck, and told her to give him money. Afterward, the subjects got back into one of the vehicles and left the area. The vehicle left behind at the scene, displaying Texas license plates J32-RDN, was reported stolen at 5902 Killarney, Corpus Christi, Texas.

7. On 07/19/2004, at approximately 11:38 p.m., CCPD received a report that another Aggravated Robbery occurred at the Whataburger Restaurant, located at 510 Texan Trail, Corpus Christi, Texas. The victim, RUBY PENA, reported that she was stationary at the drive-thru lane when she was approached by a male and female subject. After the female asked PENA if she could borrow her cellular phone, the male subject pulled out a knife and demanded her money. The male attempted to place the knife at PENA's throat, but she was able to drive off. Both

subjects entered a vehicle and left the scene. CCPD officers located the suspect vehicle, displaying Texas license plates 3CM-R01, and initiated a pursuit. After the pursuit was terminated , two of the individuals occupying the vehicle, identified as ANGELA CRUZ RODRIGUEZ, date of birth 02/21/1974, and CHRISTINA CHAVEZ, date of birth 09/20/1981, were arrested. A male subject, who was later identified as JOHN HENRY RAMIREZ, fled on foot and evaded arrest.

8. MARIANO CERVANTES and KASHIF BUTT positively identified JOHN HENRY RAMIREZ, date of birth 06/29/1984, from a photo lineup as the subject they saw assaulting PABLO CASTRO in the parking lot of the Times Market store.

9. APRIL METTING positively identified RAMIREZ, from a photo lineup as the man who robbed her with a knife at 2018 South Staples Street. She also positively identified CHRISTINA CHAVEZ, date of birth 09/20/1981, as the woman accompanying RAMIREZ when the robbery occurred.

10. RUBY PENA positively identified RAMIREZ from a photo lineup as the man who put the knife to her throat and demanded money at 510 Texas Trail, Corpus Christi, Texas.

11. In a videotape confession, ANGELA CRUZ RODRIGUEZ, admits to being involved in the Capital Murder of PABLO CASTRO and Aggravated Robberies of APRIL METTING and RUBY PENA. RODRIGUEZ also implicated JOHN HENRY RAMIREZ and CHRISTINA CHAVEZ as being involved.

12. An autopsy conducted by the Nueces County Medical Examiner RAY FERNANDEZ indicated that CASTRO died as a result of multiple stab wounds to the head, neck and upper torso.

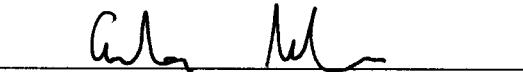
13. On 08/21/2004, CCPD received a tip, via Crime Stoppers, that RAMIREZ had fled

to Mexico.

14. On 08/23/2004, CRAIG HILL, Chief Criminal Investigator, Nueces County District Attorneys Office, confirmed that RAMIREZ is wanted out of Nueces County for Capital Murder and two counts of Aggravated Robbery. HILL indicated that his office received information that RAMIREZ has fled the State of Texas to avoid prosecution and crossed the United States Border into Mexico.

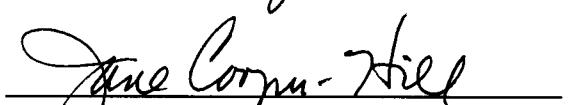
15. On 08/24/2004, Detective RICHARD L. GARCIA, CCPD, contacted affiant and advised that a Confidential Informant (CI), who has provided reliable information in the past, observed RAMIREZ in Nuevo Progreso, Mexico. The informant reported that RAMIREZ was staying at a residence located in the pharmacy district of Nuevo Progreso, which is approximately 1.5 miles South of Progreso, Texas.

16. Your affiant believes that probable cause exists that JOHN HENRY RAMIREZ has violated Title 18, U.S.C., Section 1073, Unlawful Flight to Avoid Prosecution.



Carlos Salinas
Special Agent
Federal Bureau of Investigation
Corpus Christi, Texas

Subscribed and sworn to before me this 26 day of August 2004.



Jane Cooper-Hill

Jane Cooper-Hill
United States Magistrate Judge